

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION**

FRANCIS GRANDINETTI, II

PLAINTIFF

v.

NO. 2:05CV172-M-D

EDWIN T. SHIMODA, ET AL.

DEFENDANTS

FINAL JUDGMENT

Upon consideration of the file and records in this action, including the Report and Recommendation of the United States Magistrate Judge dated September 23, 2005, and the November 3, 2005, objections to the Report and Recommendation, the court finds that the plaintiff's objections are without merit and that the Magistrate Judge's Report and Recommendation should be approved and adopted as the opinion of the court. It is, therefore

ORDERED:

1. That the Report and Recommendation of the United States Magistrate Judge dated September 23, 2005, is hereby approved and adopted as the opinion of the court.
2. That the instant case is hereby **DISMISSED** for failure to comply with an order of the court.
3. That all pending motions are hereby **DISMISSED** as moot in light of this ruling.
4. That papers the plaintiff files with this court not related to the prosecution of a direct appeal shall be neither acknowledged nor addressed.
5. That this case is **CLOSED**.

THIS, the 14th day of November, 2005.

/s/ Michael P. Mills
UNITED STATES DISTRICT JUDGE